

REMARKS

REQUEST FOR RECONSIDERATION

Applicant has carefully considered the matters raised by the Examiner in the outstanding office Action but remains of the opinion that the patentable subject matter exists. Applicant respectfully requests reconsideration of the Examiner's position based on the following remarks.

CLAIM STATUS

Claims 1-20 are pending in this application. No amendments have been made to the claims at this time.

PRIOR ART REJECTION

Two prior rejections were put forward in the Office Action. Claims 1,3-7,9-15 and 17-20 were rejected as unpatentable over the combination of Shima and Brown. Claims 2,8 and 16 were rejected as being unpatentable over the combination of Shima, Brown and Emoto.

One of the unique aspects of the present invention is the way that the receiving buffer and the auxiliary storage device interact. Specifically, writing of data is started in the receiving buffer and when the free space in the receiving buffer has run out, writing is transferred to the auxiliary storage device. During the writing process, when

it is noted that the receiving buffer has a predetermined amount of free space, the writing in the auxiliary storage device is stopped and writing is resumed in the receiving buffer. By switching back and forth between the receiving buffer and the auxiliary storage device, print speed is maintained and efficient operation is obtained. This aspect of invention is brought out in the application in the paragraph of the bottom of page 5.

Claims 1,7,14 and 20 are independent claims. Each one of these independent claims recites the back and forth writing which is performed between the receiving buffer and auxiliary storage device. In claims 1 and 7, this back and forth function between the auxiliary storage device and the receiving buffer can be found in the 5th sub paragraph of the claim. In the claim 14, this back and forth aspect of the receiving buffer and the auxiliary storage device can be found in the 3rd and 4th sub paragraph of the claim. In claim 20, the back and forth interaction between the auxiliary storage device and the receiving buffer can be found in the 5th sub paragraph of the claim.

The examiner had pointed to column 12 lines 46-67 through column 13 lines 1-8 of Shima to teach this back and forth aspect as recited in the claims. However, the teachings in Shima do not teach that during the writing

process, the writing in the auxiliary storage device is stopped and then writing is resumed in the receiving buffer, rather, Shima teaches "if printing processing is delayed and data remains in RAM 44 on a whole, some data is stored in the auxiliary storage 45 and then read into RAM 44 as required" Shima, column 12 lines 63-66. In another word, data is process from auxiliary storage unit 45 to RAM 44. Shima does not teach that during a writing process, that after the writing is commenced in the auxiliary storage device, that the writing in the auxiliary storage device is stopped and the writing is then restarted in the receiving buffer. Shima is simply teaching that when the receiving buffer is full, writing is commenced in the auxiliary buffer. Shima never teaches the second step of returning to the receiving buffer at such time when the receiving buffer has reached a predetermined value of free space and then completing the writing in the receiving buffer. In another word, Shima does not teach switching back to the receiving buffer once it has initially shifted to the auxiliary storage device.

It is submitted that neither Brown nor Emoto teach shifting back and forth between a receiving buffer and auxiliary receiving device during the same writing, and thus, cannot cure the defects which are in Shima.


Respectfully, applicant claims as presented herewith are patentable over each one of cited references taken alone or in the combination.

Conclusion

In the view of forgoing it is respectfully submitted that the application is in condition for allowance. Should any fees or extensions of time be necessary in order to maintain this application in pending condition, appropriate requests are made and authorization is given to debit account No.02-2275

Respectfully submitted,
LUCAS & MERCANTI, LLP

By:


Donald C. Lucas, Reg. #31,275
(Attorney for Applicants)
475 Park Avenue South
New York, New York 10016
Tel. # (212) 661-8000

DCL/aty